

FORM PTO-1390 (REV 12-2001)		ATTORNEY DOCKET NUMBER 4439-4026
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known. See 37 CFR 1.51) TBA 10 / 511693
INTERNATIONAL APPLICATION PCT/JP03/04765	INTERNATIONAL FILING DATE 15 April 2003 (15.04.03)	PRIORITY DATE CLAIMED 15 April 2002 (15.04.02)
TITLE OF INVENTION DRUGS TO BE USED IN GENE THERAPY FOR RECESSIVELY TRANSMITTED GENETIC DISEASE		
APPLICANT(S) FOR DO/EO/US Masayuki AMAGAI, Takeji NISHIKAWA, and Manabu OHYAMA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English translation of the International application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 20. below concern document(s) or information included.		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR §§ 1.97 and 1.98 (1 pg.); Form PTO-1449 (1 pg.); and copies of the cited references (8 references). <input checked="" type="checkbox"/> An assignment document for recording (3 pgs.). A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included (1 pg.). <input checked="" type="checkbox"/> A FIRST preliminary amendment (11 pgs.). <input checked="" type="checkbox"/> English Translation of the Specification (21 pgs.); Claims (2 pgs.); Abstract (1 pg.); and Figs. 1-6A, 6B, and 6C (5 pgs.) <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 with a paper copy of the sequence listing (1 pg.); and Statement Under WIPO Standard ST.23 and 37 CFR § 1.821(f). <input checked="" type="checkbox"/> A second copy of the published international application published with the International Search Report – publication number WO 03/086472, published on October 23, 2003 under 35 U.S.C. 154(d)(4). 		

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BEST AVAILABLE COPY

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.51) TBA	INTERNATIONAL APPLICATION NO. PCT/JP03/04765	ATTORNEY'S DOCKET NO. 4439-4026
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19. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO \$740.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4) \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4) \$100.00	CALCULATIONS	PTO USE ONLY		
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$890.00			
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	64 - 20 =	44	X \$18.00	\$792.00
Independent claims	2 - 3 =	0	X \$84.00	\$-
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$-
TOTAL OF ABOVE CALCULATIONS =	\$1,682.00			
Reduction of ½ for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).	\$-			
SUBTOTAL =	\$1,682.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +	\$0.00			
TOTAL NATIONAL FEE =	\$1,682.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +	\$ 40.00			
TOTAL FEES ENCLOSED	\$1,722.00			
	Amount to be refunded: \$			
	Charged \$			

- a. A check in the amount of \$1,722.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4439-4026. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Registration Nos.: 33,285 / 54,246

10/511693

Docket No. 4439-4026

IN THE UNITED STATES

- RECEIVING OFFICE (RO/US)
 DESIGNATED OFFICE (DO/US)
 ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/JP03/04765	15 April 2003 (15.04.03)	15 April 2002 (15.04.02)

TITLE OF INVENTION

DRUGS TO BE USED IN GENE THERAPY FOR RECESSIVELY TRANSMITTED GENETIC DISEASE

APPLICANT(S)

Masayuki AMAGAI, Takeji NISHIKAWA, and Manabu OHYAMA

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

I declare that on **October 14, 2004**, I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number **EV 498829886 US**, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and having an express mail certification which I executed, the following papers:

1. Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 (2 pgs);
2. Assignment document with a separate cover sheet for recordal (4 pgs.);
3. Original Combined Declaration and Power of Attorney document executed by all the inventors (10 pgs);
4. FIRST Preliminary Amendment (11 pgs.);
5. English Translation of the Specification (21 pgs.); Claims (2 pgs.); Abstract (1 pg.); and Figs. 1-6A, 6B, and 6C (5 pgs.);
6. An Information Disclosure Statement under 37 CFR §§ 1.97 and 1.98 (1 pg.); Form PTO-1449 (1 pg.); and copies of the cited references (8 references);
7. A second copy of the published international application published with the International Search Report – publication number WO 03/086472, published on October 23, 2003 under 35 U.S.C. 154(d)(4).
8. Copies of: PCT Request document; Forms: PCT/RO/105; PCT/RO/106; PCT/ISA/202; PCT/ISA/210; PCT/ISA/220; PCT/IB/301; PCT/IB/304, PCT/IB/308.
9. A check in the sum of \$1722.00; and
10. Return postcard.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Albert Isles

(Typed or printed name of person making this verified statement)

Albert Isles

(Signature of person making this verified statement)

October 14, 2004
Date

(Verified Certification of Express Mailing Date (International Application) [13-12])